

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

---

DAVID MAZZA,	)	
	)	
	)	
Plaintiff,	)	
v.	)	
	)	Civil Act. No. 04-30020-MAP
VERIZON SICKNESS AND ACCIDENT	)	
DISABILITY BENEFIT PLAN FOR	)	
NEW ENGLAND ASSOCIATES, <i>et al.</i> ,	)	
	)	
Defendants.	)	

---

**NOTICE OF AGREEMENT OF STANDARD OF REVIEW**

Pursuant to the Court's Order Regulating Proceedings dated November 22, 2004, this Notice serves to inform the Court that the parties have reached agreement on the applicable standard of judicial review to be used in the above matter. The parties agree that the arbitrary and capricious standard of review is applicable, as that standard is defined in Sullivan v. Raytheon Co., 262 F.3d 41, 50 (1st Cir. 2001), Terry v. Bayer Corp., 145 F.3d 28, 40 (1st Cir. 1998), and other governing First Circuit case law.

Dated: March 2, 2005

Respectfully submitted,

s/ Anthony G. Collins

Anthony G. Collins, BBO 561180  
Law Office of Anthony G. Collins  
121 State Street, Suite 102  
Springfield, MA 01103  
(413) 746-9003

Attorney for Plaintiff

s/ Karen M. Wahle

Karen M. Wahle  
O'Melveny & Myers LLP  
1625 Eye Street, N.W.  
Washington, D.C. 20006  
(202) 383-5300

Amy D. Siefer, BBO 550639  
Lisa M. Birkdale, BBO 549663  
Verizon Communications Inc.  
Legal Department  
185 Franklin Street  
Boston, MA 02110-1585  
(607) 743-5764

Attorneys for Defendants Verizon Sickness and  
Accident Disability Benefit Plan for New England  
Associates and Verizon Communications Inc.